

# Notice of Allowability

Application No.

09/679,341

Examiner

Dmitry Suhol

Applicant(s)

NAKASHIMA ET AL.

Art Unit

3725

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed 2/25/05.
2. ☒ The allowed claim(s) is/are 1-3,5-11 and 19-22.
3. ☒ The drawings filed on 04 October 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

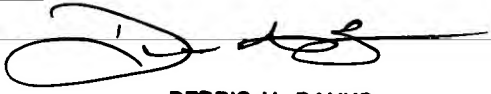
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
DERRIS H. BANKS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700

### **EXAMINER'S AMENDMENT**

The Declaration under 37 CFR 1.132 filed February 25<sup>th</sup>, 2005 is sufficient to overcome the rejection of claims 1-3, 5-11 and 19-22 based upon Lee '846 in view of Takahara (JP 02-074688) and Green et al '525.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The claims have been amended as follow:

Claim 5, line 2 of the claim, after "according to" delete "claim 4" and insert - - claim 2 - -.

Claim 6, line 2 of the claim, after "according to" delete "claim 4" and insert - - claim 5 - -.

Claims 12-18 and 23-25 have been canceled.

Authorization for this examiner's amendment was given in a telephone interview with Lawrence Perry on June 1<sup>st</sup>, 2005.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: The specific limitations of "...said cloth has a weight per unit area of 30 g/m<sup>2</sup> to 1,000 g/m<sup>2</sup>, the

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amount of said fine-particle silicic acid in said porous layer is  $1\text{g/m}^2$  to  $30\text{g/m}^2$ , and the amount of said fine-particle silicic acid per 1 part by weight of the binder is 0.5 to 2 parts by weight" in combination with applicants Declaration filed under 37 CFR 1.132 on February 25<sup>th</sup>, 2005 are sufficient to overcome the rejection as stated in the office action dated August 25<sup>th</sup>, 2004, as evidenced by the sales figures and statements from customers directly linking the claimed subject matter to the reason for the commercial success and not advertising, promotion or market power (see Declaration).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Suhol whose telephone number is 571-272-4430. The examiner can normally be reached on Mon - Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ds

  
DERRIS H. BANKS  
SUPERVISORY PATENT EXAMINER  
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FIG. 1

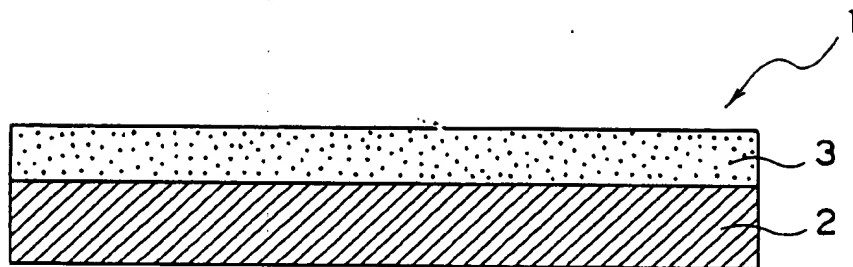


FIG. 2

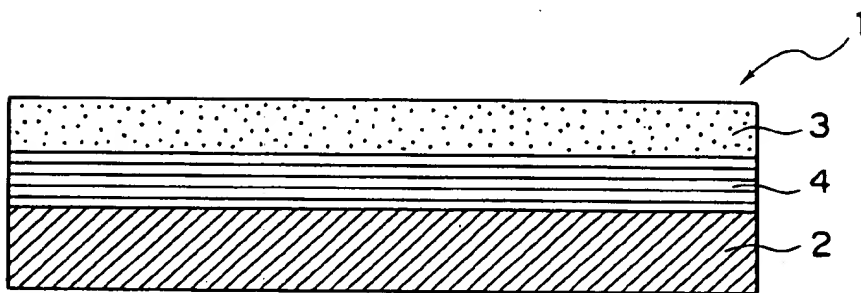


FIG. 3

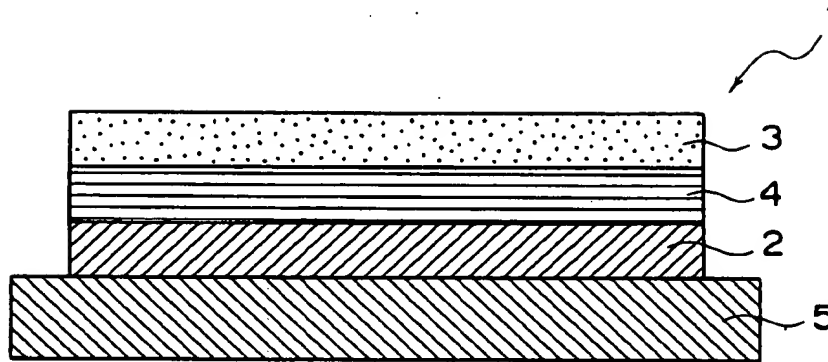


FIG. 4

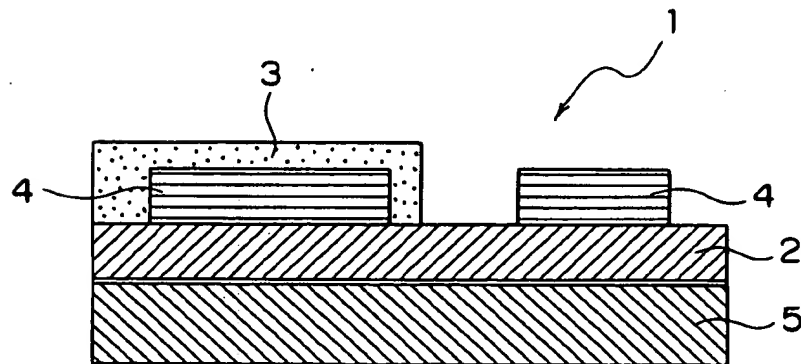
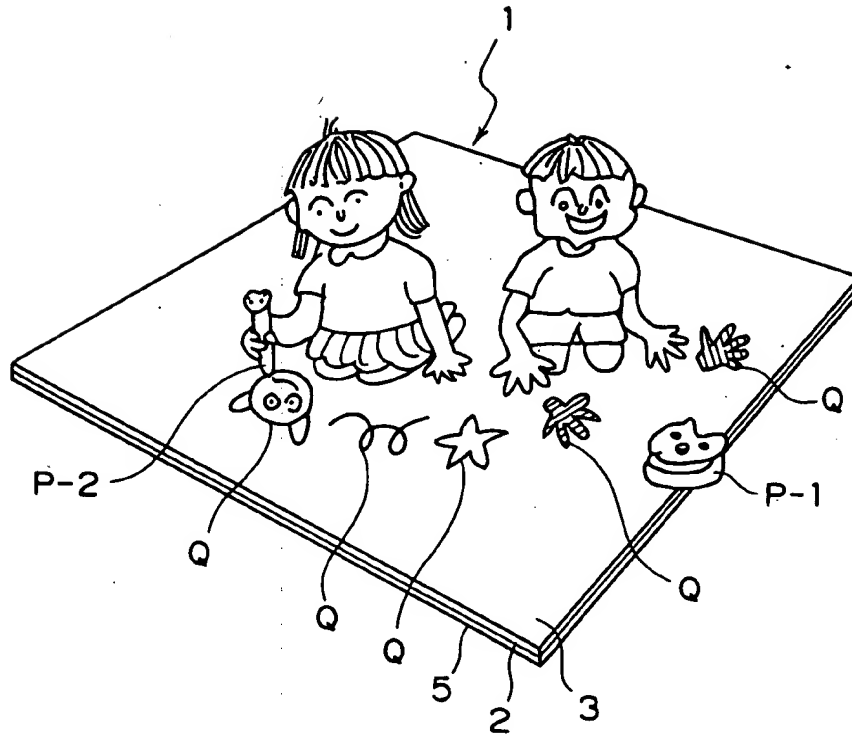
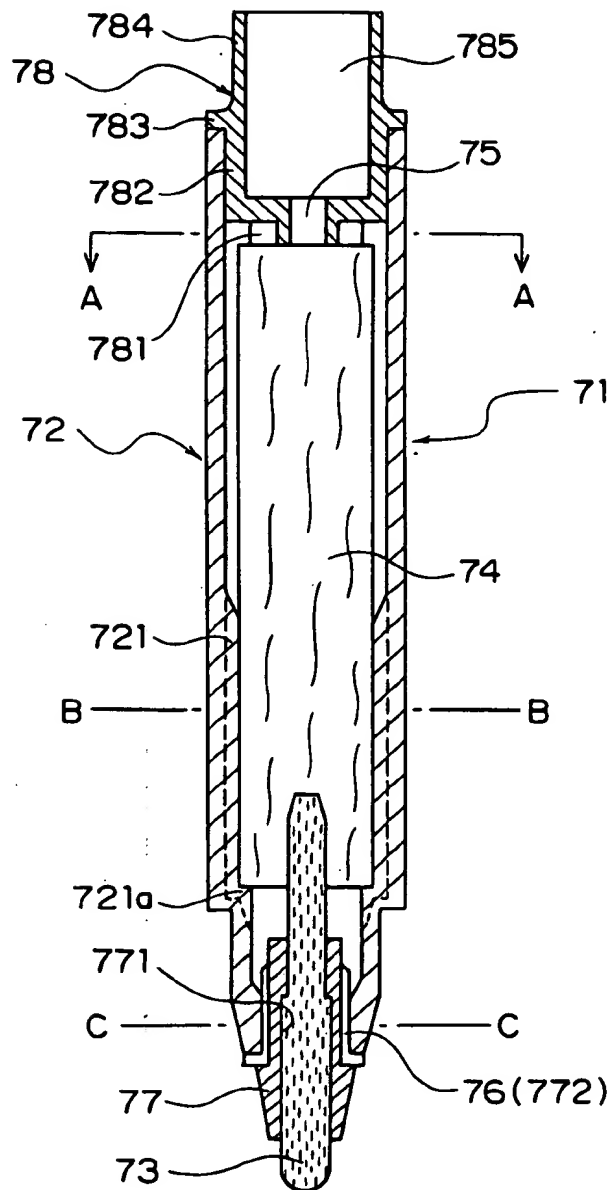


FIG. 5







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FIG. 7A

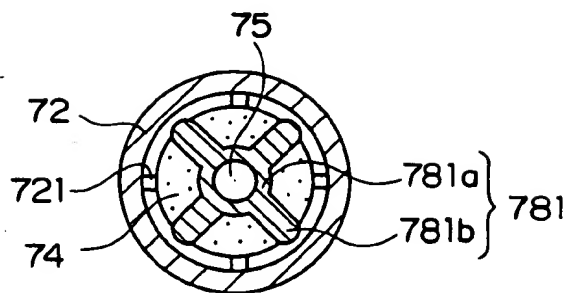


FIG. 7B

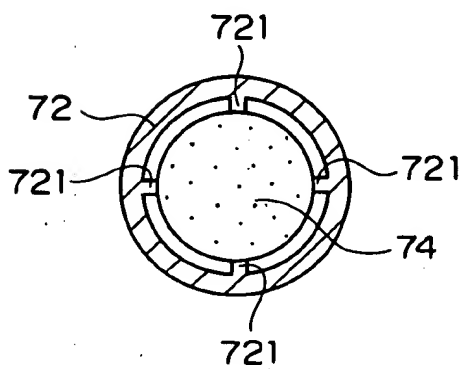


FIG. 7C

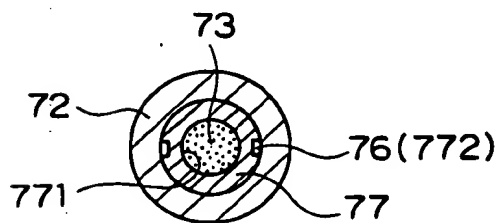
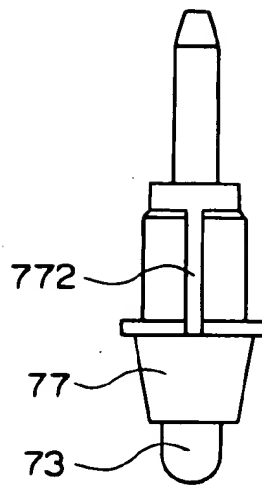
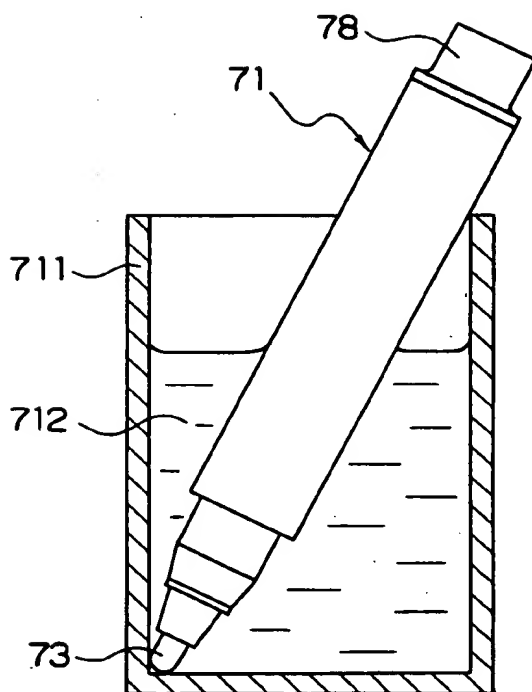


FIG. 8



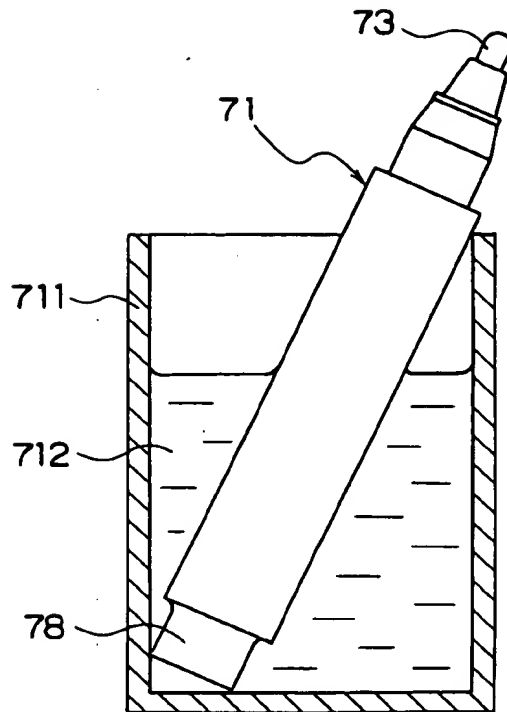
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FIG. 9



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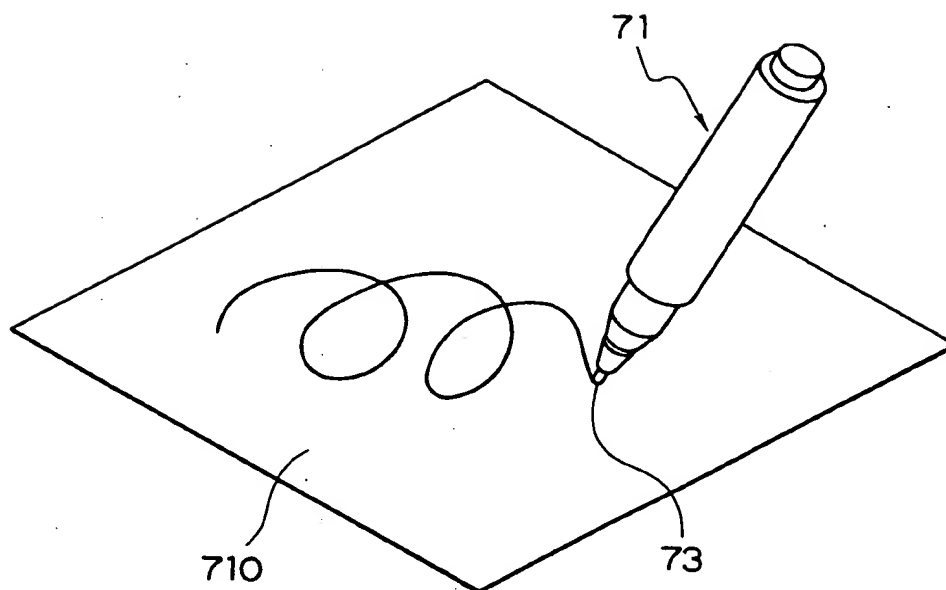
FIG. 10



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FIG. 11



[illegible]

FIG. 13A

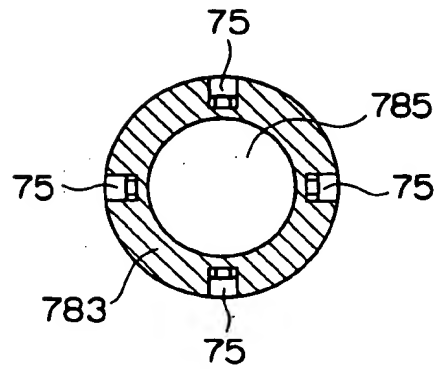


FIG. 13B

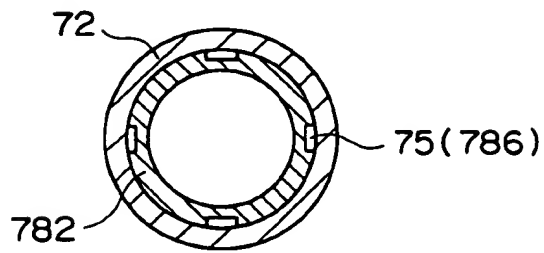
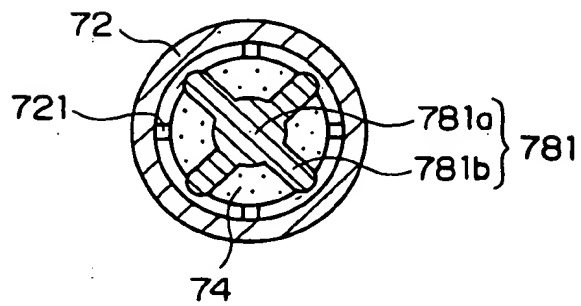


FIG. 13C



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FIG. 14

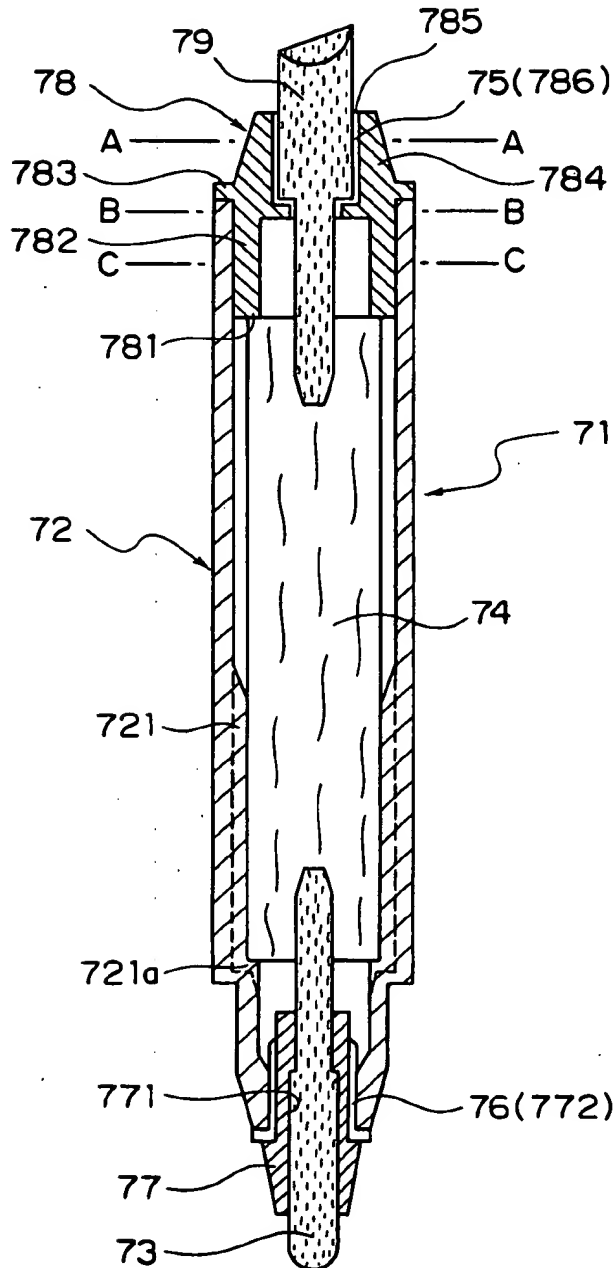




FIG. 15A

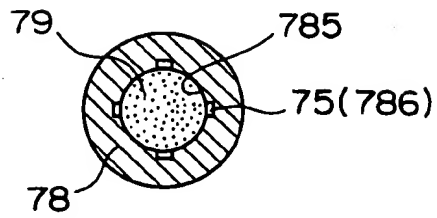


FIG. 15B

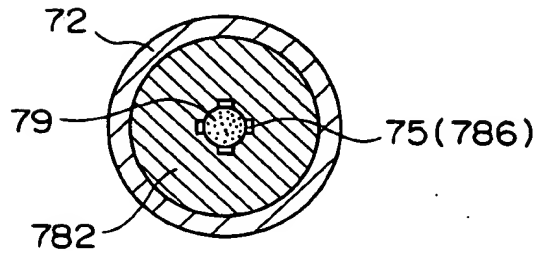


FIG. 15C

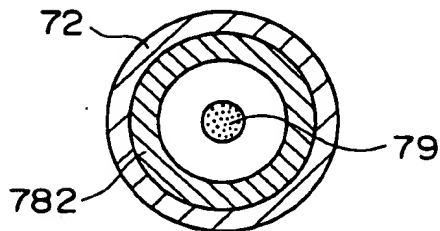


FIG. 16

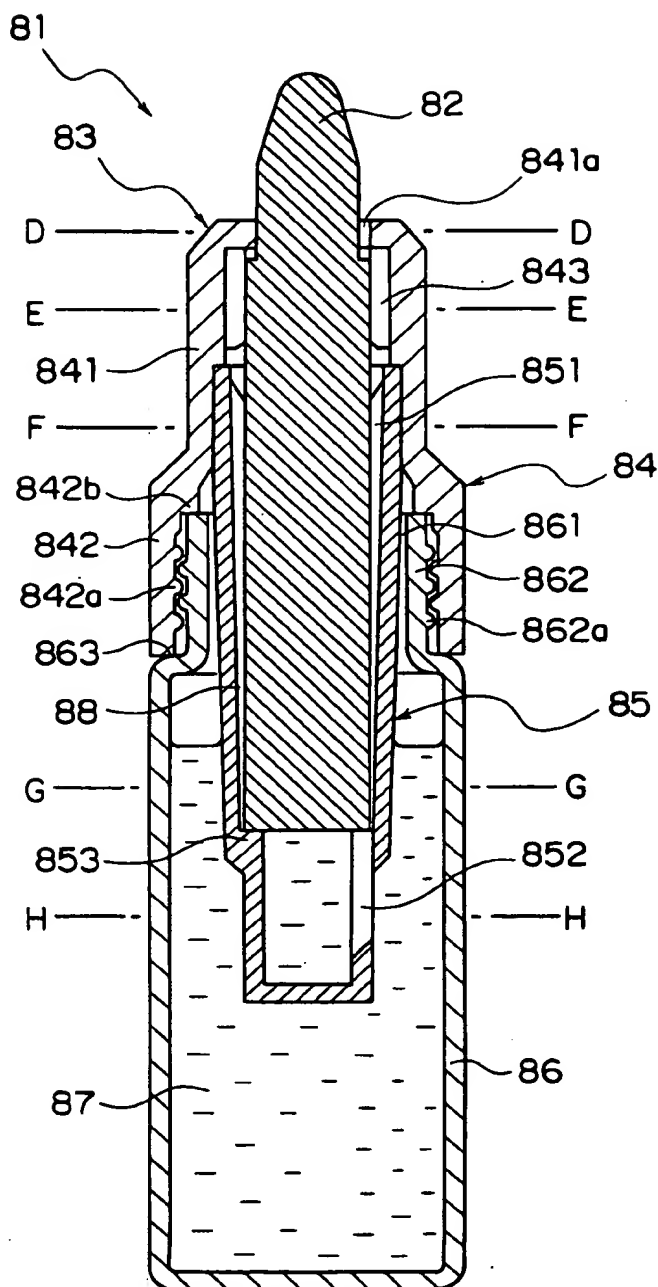


FIG. 17

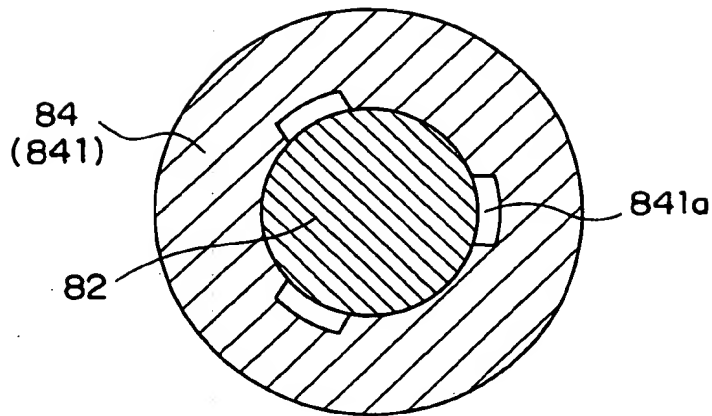
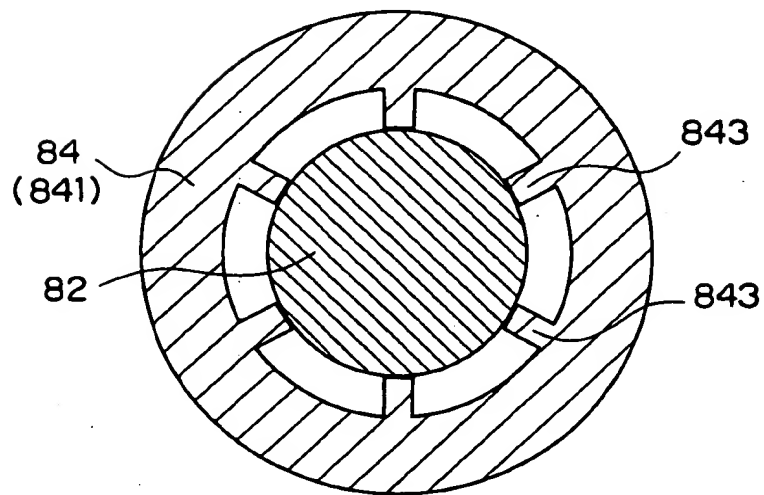
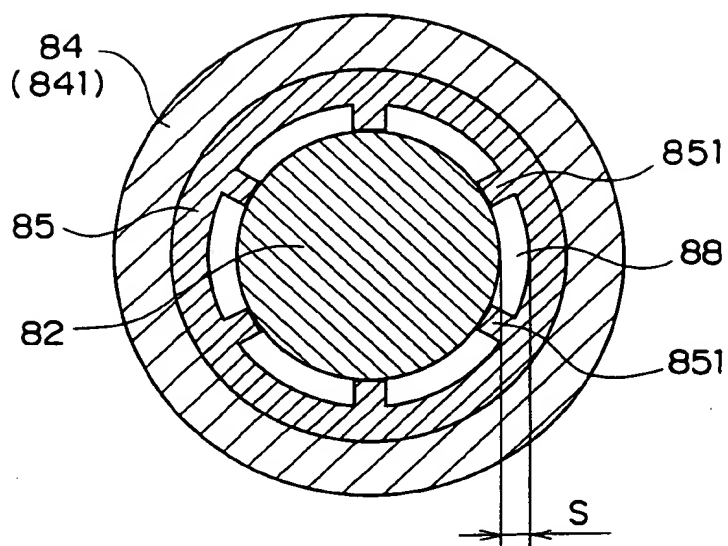


FIG. 18



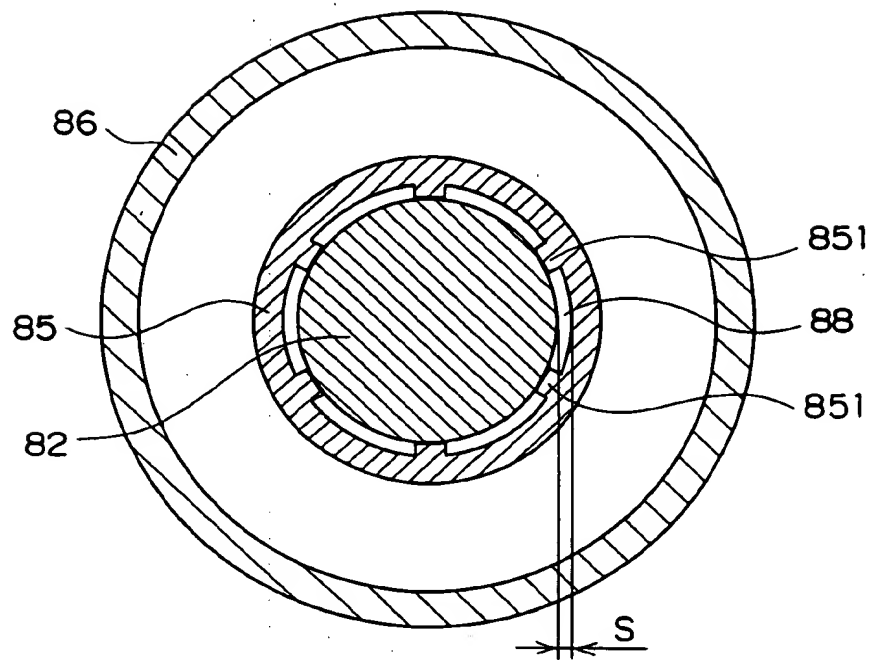
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FIG. 19



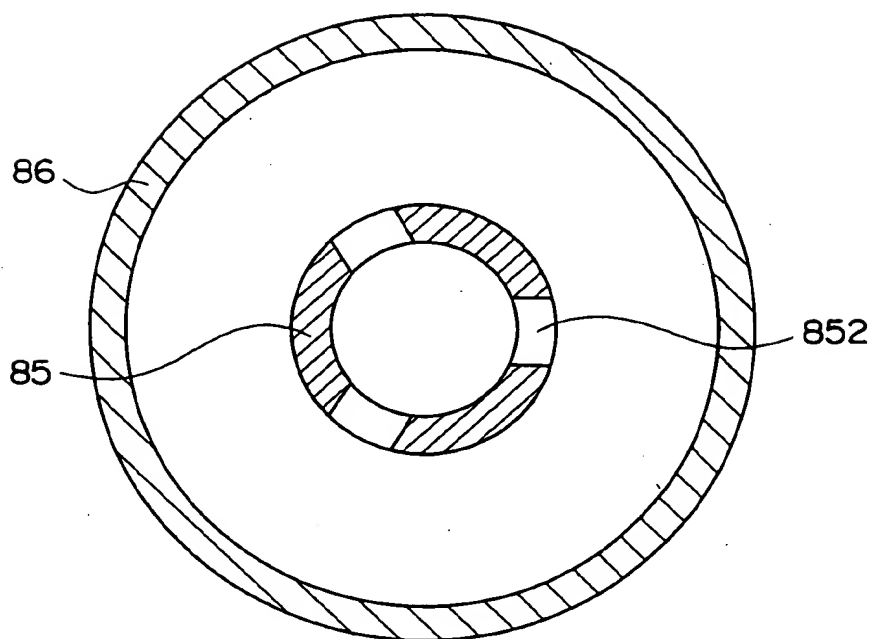
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FIG. 20



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FIG. 21



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FIG. 22

